

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application. No.: 10/755,471
Attorney Docket No: Q78638

REMARKS

Upon entry of the Amendment, claims 1-6 and 8-20 are pending in the application. Claim 7 has been canceled. Claims 1 and 15 have been amended by incorporating the subject matter of canceled claim 7. Therefore, no new matter has been added.

As a preliminary matter, the Office Action cites to “Kenjiro et al (USPN2000-001044).” It appears that the Examiner has again mistaken JP 2000-001044 to Kenjiro KURODA, et al. (“JP ‘044”) to be USPN 2000-001044. The remarks below are accordingly tailored to JP ‘044.

1. Claims 1-6, 9-12 and 17 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP ‘044 in view of U.S. Published Application 2003/0138607 to Kuroki (“Kuroki ‘607”).

Without admitting the rejection is correct, claim 1 has been amended to incorporate the subject matter of claim 7. Claim 7 has not been rejected over JP ‘044 in view of Kuroki ‘607. Claims 2-6, 9-12 and 17 depend from claim 1. Reconsideration and withdrawal are respectfully requested.

2. Claims 7 and 8 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP ‘044 in view of Kuroki ‘607 as applied to claim 1 above, further in view of U.S. Patent No. 5,955,167 to Onishi *et al.* (“Onishi ‘167”).

Claim 1 presently recites that an interlayer adhesion between a release layer and a cushion layer is from 0.5 to 400 g/cm.

JP ‘044 and Kuroki ‘607 are each deficient in that each of JP ‘044 and Kuroki ‘607 fail to teach that an interlayer adhesion between a release layer and a cushion layer is from 0.5 to

400 g/cm. Onishi '167 is relied upon to make up for this deficiency. Onishi '167 teaches a recording medium including a recording sheet, an adhesive layer provided on the backside of the recording sheet, and a release sheet provided on the adhesive layer. *See* col. 2, lines 50-56. Onishi '167 teaches that "the coverage" of the adhesive is preferably in the range of 5 to 50 g/m² on a dry basis and more preferably in the range of from 10 to 30 g/m². *See* col. 7, lines 43-45. Onishi '167 teaches that the recording medium may be applied to a suitable place after the release sheet is peeled off of the recording medium. *See* col. 2, lines 50-56. In this regard, Onishi '167 teaches a recording medium different from the transfer medium presently recited in claim 1.

Applicants respectfully submit that Onishi '167 fails to make up for the deficiencies of JP '044 and Kuroki '607. Onishi '167 teaches the coverage of the adhesive, rather than the interlayer adhesion. In this regard, each of JP '044, Kuroki '607, and Onishi '167 fail to teach or suggest an interlayer adhesion between a release layer and a cushion layer is from 0.5 to 400 g/cm.

3. Claims 13 and 14 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP '044 in view of Kuroki '067 as applied to claim 1 above, further in view of U.S. Patent No. 6,652,928 to Sato *et al.* ("Sato '928").

Without admitting the rejection is correct, claim 1 has been amended to incorporate the subject matter of claim 7. The subject matter of claim 7 has not been rejected over JP '044 in view of Kuroki '607, further in view of Sato '928. Claims 13 and 14 depend indirectly from claim 1. Reconsideration and withdrawal are respectfully requested.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application. No.: 10/755,471
Attorney Docket No: Q78638

4. Claims 15, 18 and 16 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP '044 in view of U.S. Published Application No. 2004/0041894 to Martin *et al.* ("Martin '894") and Kuroki '607.

Without admitting the rejection is correct, claim 15 has been amended to incorporate the subject matter of claim 7. The subject matter of claim 7 has not been rejected over JP '044 in view of Martin '894 and Kuroki '607. Claims 16 and 18 depend from claim 15. Reconsideration and withdrawal are respectfully requested.

5. Claim 19 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP '044 in view of Kuroki '607 as applied to claim 1 above, further in view of U.S. Patent No. 5,419,989 to Takimoto *et al.* ("Takimoto '989")

Without admitting the rejection is correct, claim 1 has been amended to incorporate the subject matter of claim 7. The subject matter of claim 7 has not been rejected over JP '044 in view of Kuroki '607, further in view of Takimoto '989. Claim 19 depends from claim 1. Reconsideration and withdrawal are respectfully requested.

6. Claim 20 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP '044 in view of Martin '894 and Kuroki '607 as applied to claim 15 above, further in view of Takimoto '989.

Without admitting the rejection is correct, claim 15 has been amended to incorporate the subject matter of claim 7. The subject matter of claim 7 has not been rejected over JP '044 in view of Martin '894 and Kuroki '607, further in view of Takimoto '989. Claim 20 depends from claim 15. Reconsideration and withdrawal are respectfully requested.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application. No.: 10/755,471
Attorney Docket No: Q78638

Further, with respect to claims 17 and 18, JP '044 is deficient in that it fails to teach a cushion layer having a TMA softening point of 45° C or below. Kuroki '607 is relied upon to make up for this deficiency. Kuroki '607 teaches that the heat-softening layer thereof exhibits a TMA softening point of not less than 40° C, and more preferably 40 to 80° C. *See*, paragraph [0036]. In this regard, Kuroki '607 fails to suggest selecting a TMA softening point of 45° C or below.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

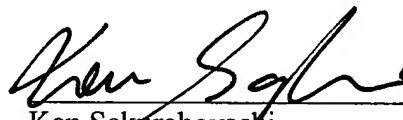
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Ken Sakurabayashi
Registration No. 58,490

Date: November 8, 2006